



Charter Commission

Charter Members

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REGULAR MEETING LAFAYETTE CHARTER COMMISSION

Email: CharterCommission@LafayetteLa.gov

705 W. University Ave, Ted A. Ardoin City-Parish Council Auditorium

Monday, August 30, 2010

5:30 p.m.

AGENDA

1. Call to order
2. Invocation and Pledge of Allegiance
3. Comments/Announcements from Commission Members
4. Recognize Public Works Director Tom Carroll for presentation
5. Update by Legal on Attorney General Opinion
6. Consider extending the terms of the City-Parish President and Council (Letter from Commissioner Bruce Conque is attached)
7. Next meeting date
8. Comments from the public on the above referenced agenda items
9. Adjourn

Dear Fellow Commission Member:

I will be submitting for your consideration and vote on August 30th a recommendation for the calling of a referendum so that Lafayette voters can decide whether to extend the current term of the Council and City-Parish President by 12 months. If we do not delay the election of Council and Parish President in the fall of 2011, Lafayette City-Parish government will continue in its present form for another four years beginning January 2012 with the inauguration of these elected officials; according to state law, the term of an incumbent may not be shortened.

Arguably, based on testimony already presented, there is a need to "tweak" the current governing document. However, even minor amendments to the Lafayette City-Parish Home Rule Charter, if approved by Lafayette Parish voters, may not take effect until January, 2016, based on the current election schedule. That would be nearly five years after we report our findings; and, over four years after the issue is presented to voters.

Legal Counsel has opined that a term extension is legally permissible; although it has been noted that the steps to achieve voter consideration are "challenging, if not impossible" based on the political calendar. While I have great respect for the legal wisdom of Counsel, I cannot concede the issue of time constraints and do nothing to advance our work product.

Based on my research, I submit to you that Legal Counsel would have six months in which to prepare a proposition for submission to the voters on April 30, 2011. This following is a proven timeline given a similar political schedule which placed a Charter amendment on the upcoming November ballot:

- August 30, 2010 – commission recommendation
- September 7, 2010 – introduction of council ordinance calling for referendum on commission recommendation
- September 20, 2010 – final adoption of council ordinance
- March 15, 2011 – deadline for submission of proposition to Louisiana Secretary of State
- April 30, 2011 - ballot proposition

We will have completed our deliberations and made our recommendations prior to the proposed April 30, 2011, vote on the term extension proposal. Thus, voters will make their decision armed with the knowledge of the changes being recommended by the Lafayette Charter Commission. Whatever is the outcome of my proposal, it will not impact a public referendum, expected in February, 2012, on our recommendations.

A secondary benefit of this proposal, but unrelated to our work, is that it would allow more time for the redistricting of the Council representative seats in 2011. Even if voters approve the amendment to the Lafayette City-Parish Charter this fall, there will be a very tight time frame in which to redistrict based on the new 2010 federal census. The census numbers will be released

no earlier than March, 2011 and redistricting must be done prior to election qualifying in July, 2011. Without a July deadline, the redistricting process can take until the end of 2011.

Thank you for your public service on the Lafayette Charter Commission. This will be the first of many decisions that will have historical significance as we ponder the future governing of Lafayette City and Parish.